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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/574,841	08/22/2006	Hikoroku Sugiura	Q94254	5032
23373 SUGHRUE MI	7590 05/20/200 ON, PLLC	EXAMINER		
2100 PENNSY	LVÁNIA AVENUE, N	STELLING, LUCAS A		
SUITE 800 WASHINGTON, DC 20037			ART UNIT	PAPER NUMBER
			1797	
			MAIL DATE	DELIVERY MODE
			05/20/2008	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary		Appli	cation No.	n No. Applicant(s)				
		10/57	'4,841	SUGIURA,	SUGIURA, HIKOROKU			
		Exam	iner	Art Unit				
		Lucas	Stelling	1797				
The MA Period for Reply	ILING DATE of this commun	nication appears or	the cover sheet	with the corresponde	nce address			
WHICHEVER - Extensions of time after SIX (6) MON - If NO period for re - Failure to reply wi Any reply received	ED STATUTORY PERIOD F IS LONGER, FROM THE Me e may be available under the provisions ITHS from the mailing date of this comresply is specified above, the maximum st thin the set or extended period for reply d by the Office later than three months and adjustment. See 37 CFR 1.704(b).	MAILING DATE OF s of 37 CFR 1.136(a). In I munication. catutory period will apply a will, by statute, cause the	THIS COMMUN no event, however, may and will expire SIX (6) M e application to become	NICATION. a reply be timely filed ONTHS from the mailing date ABANDONED (35 U.S.C. §	of this communication.			
Status								
1)⊠ Respons	sive to communication(s) file	ed on 06 April 200	6					
· <u> </u>		2b)⊡ This action	<del></del>					
′ <del>=</del>	/ <del></del>							
<i>,</i> —	closed in accordance with the practice under <i>Ex parte Quayle</i> , 1935 C.D. 11, 453 O.G. 213.							
Disposition of Cla	·	,	, ,	,				
· _		application						
,	<ul><li>✓ Claim(s) <u>1-20</u> is/are pending in the application.</li><li>4a) Of the above claim(s) is/are withdrawn from consideration.</li></ul>							
		iic withdrawn hon	r consideration.					
	5) Claim(s) is/are allowed. 6) Claim(s) is/are rejected.							
	is/are objected to.							
	<u>1-20</u> are subject to restricti	on and/or election	requirement					
	1-20 are subject to restrict	on and/or election	rrequirement.					
Application Pape	rs							
9)☐ The spec	ification is objected to by th	e Examiner.						
10)∏ The draw	ring(s) filed on is/are	: a)∏ accepted c	or b)∏ objected t	o by the Examiner.				
Applicant	may not request that any obje	ction to the drawing	(s) be held in abey	ance. See 37 CFR 1.8	55(a).			
Replacen	nent drawing sheet(s) including	g the correction is re	quired if the drawi	ng(s) is objected to. Se	e 37 CFR 1.121(d).			
11) <mark></mark> The oath	11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.							
Priority under 35	U.S.C. § 119							
<ul> <li>12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).</li> <li>a) All b) Some coll None of:</li> <li>1. Certified copies of the priority documents have been received.</li> <li>2. Certified copies of the priority documents have been received in Application No</li> <li>3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).</li> <li>* See the attached detailed Office action for a list of the certified copies not received.</li> </ul>								
2) Notice of Draftsp	nces Cited (PTO-892) person's Patent Drawing Review (F losure Statement(s) (PTO/SB/08) I Date	PTO-948)	Paper N	v Summary (PTO-413) o(s)/Mail Date if Informal Patent Applicat	ion			

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## **DETAILED ACTION**

## Election/Restrictions

1. Restriction is required under 35 U.S.C. 121 and 372.

This application contains the following inventions or groups of inventions which are not so linked as to form a single general inventive concept under PCT Rule 13.1.

In accordance with 37 CFR 1.499, applicant is required, in reply to this action, to elect a single invention to which the claims must be restricted.

Group 1, claim(s) 1-6, and 13-20, drawn to methods of purifying a fluid.

Group 2, claim(s) 7-12, drawn to a static mixer.

- 2. The inventions listed as Groups I and II do not relate to a single general inventive concept under PCT Rule 13.1 because, under PCT Rule 13.2, they lack the same or corresponding special technical features for the following reasons: The common technical features between the method of purifying the liquid and the static mixer are specifically related to the configuration of the static mixer wherein the mixer has a main body cylindrical unit, a hollow inlet disk, and a hollow outlet disk, wherein a collision cylinder has a diameter greater or equal to the inlet and smaller than the inside diameter of the mixer body and is fixedly housed concentrically in the body, and where groove or a protrusion on a part of the interior face of the mixer body and the collision cylinder. These common technical features are shown in U.S. Patent No. 5,779,361 to Sugiura (See Fig. 1 and col. 2 lines 5-35).
- 3. A telephone call was made to Joseph Ruch, Jr., Esq. on May 13, 2008 to request an oral election to the above restriction requirement, but did not result in an election being made.

Applicant is advised that the reply to this requirement to be complete must include (i) an election of a species or invention to be examined even though the

requirement may be traversed (37 CFR 1.143) and (ii) identification of the claims encompassing the elected invention.

The election of an invention or species may be made with or without traverse. To preserve a right to petition, the election must be made with traverse. If the reply does not distinctly and specifically point out supposed errors in the restriction requirement, the election shall be treated as an election without traverse.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lucas Stelling whose telephone number is (571)270-3725. The examiner can normally be reached on Monday through Thursday 12:00PM to 5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Duane Smith can be reached on 571-272-1166. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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/Matthew O Savage/ Primary Examiner, Art Unit 1797

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